

REMARKS

This is a response to the Office Action mailed December 29, 2004. Claims 1, 3, 5-7, 10-32, 37-39, 41-44, 46-50, 53-59, 61 and 63-82 are pending in the application. Claims 1, 3, 5-7, 10-32, 37-39, 41-44, 46-50, 53-59, 61 and 63-85 have been rejected by the Examiner. As noted above, Applicants have amended Claims 63 and 65, and canceled Claims 83-85 without prejudice. The amendments are fully supported by the written description. Also, no new matter has been introduced into the application.

Claim Rejections – 35 U.S.C. § 102

The Examiner has rejected Claims 1, 3, 5-7, 10-32, 37-39, 41-44, 46-50, 53-59, 61 and 63-85 under 35 U.S.C. §102(e) as being anticipated by Hossainy et al. (U.S. Patent No. 6,764,505). The Hossainy et al. patent was filed on April 12, 2001. As can be seen from the attached unexecuted¹ Declaration Under 37 CFR 1.131, Applicants invented their invention prior to the filing date of the Hossainy et al. patent. Therefore, the Hossainy et al. patent is not available as prior art under 35 U.S.C. Section 102(e), and Applicants have successfully traversed the rejection of Claims 1, 3, 5-7, 10-32, 37-39, 41-44, 46-50, 53-59, 61 and 63-82 as being anticipated by Hossainy et al. Applicants respectfully request the Examiner to remove this rejection.

Claim Rejections – 35 U.S.C. § 103

The Examiner has rejected Claim 30 under 35 U.S.C. §103(a) as being unpatentable over Hossainy et al. As noted above, the Hossainy et al. patent is not available as prior art under 35 U.S.C. Section 102(e). Accordingly, the rejection of Claim 30 should be removed.

¹ An executed copy of the Declaration will be filed in due course, and no later than a request for the same by the Examiner.

CONCLUSION

Claims 1, 3, 5-7, 10-32, 37-39, 41-44 and 46-50, 53-59, 61 and 63-82 are pending in this application. Examination and allowance of the claims are respectfully requested.

If the Examiner has any questions or concerns, the Examiner is invited to telephone the undersigned attorney at (415) 954-0345.

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Respectfully submitted,



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